

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Thomas

CASE NO. 08-cv-05119 TEH

Plaintiff(s),

v.

Sprint Nextel Corp., et al.

STIPULATION AND ~~[PROPOSED]~~  
ORDER SELECTING ADR PROCESS

Defendant(s).

/

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)  
Early Neutral Evaluation (ENE) (ADR L.R. 5)  
Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

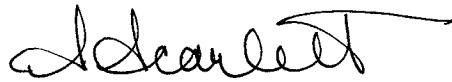
Private ADR (please identify process and provider) JAMS mediation; one day.

The parties agree to hold the ADR session by:

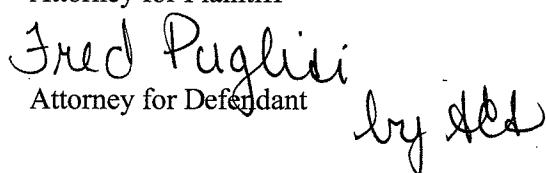
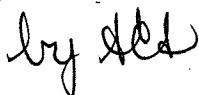
the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

other requested deadline Not later than two weeks prior to hearing on summary judgment

Dated: 02/13/09

  
\_\_\_\_\_  
Attorney for Plaintiff

Dated: 02/13/09

  
\_\_\_\_\_  
Attorney for Defendant  
by 

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

~~PROPOSED~~ ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

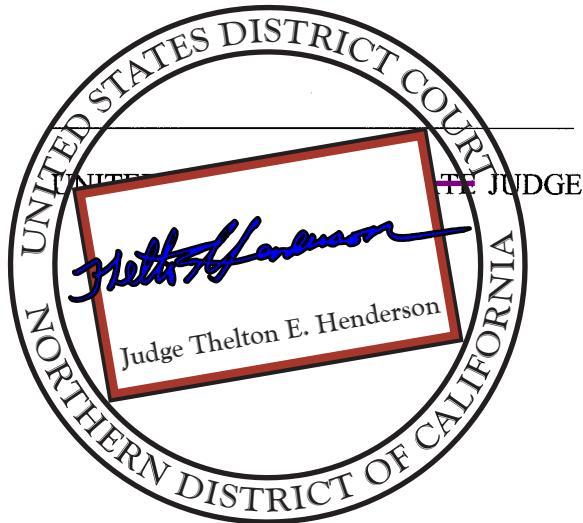
Deadline for ADR session

90 days from the date of this order.

- other Not later than 2 weeks prior to hearing on  
summary judgment

IT IS SO ORDERED.

Dated: 02/19/09



I, Shana E. Scarlett, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] SELECTING ADR PROCESS. In compliance with General Order 45, X.B., I hereby attest that Fred Puglisi has concurred in this filing.

**CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

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/s/ Shana E. Scarlett  
SHANA E. SCARLETT

## Mailing Information for a Case 3:08-cv-05119-TEH

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)